



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 21, 1991

Mr. Bruce A. Stockard
Attorney
Nichols, Jackson, Kirk & Dillard
1800 Lincoln Plaza
500 N. Akard
Dallas, Texas 75201

OR91-586

Dear Mr. Stockard:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 13710.

You have received a request for information relating to training of city police officers and fire fighters. Specifically, the request seeks a list by rank of the names of all police and fire personnel who have completed mandatory hazardous materials training.¹ You appear to contend that these materials are excepted from disclosure under section 3(a)(2) of the Open Records Act.

¹The material you submitted contains four requests for records, including (1) a request for "training records" relating to the hazardous material training, dated August 19, 1991; (2) a request for a list of names of all police and fire personnel who have completed the training, dated August 26, 1991; (3) a similar request, dated September 11, 1991; and (4) a request relating to the services of Betty Springer, dated September 12, 1991. You have informed us that the fourth request was inadvertently included in the materials and that you do not seek an opinion regarding this request. The request dated August 26, 1991, specifically states that it replaces the August 19, 1991 request. Therefore, we treat the August 19, 1991 request as withdrawn and address only the identical August 26, 1991 and September 11, 1991 requests. Therefore, the question whether hazardous training examination scores are exempt from disclosure, discussed at length in your letter, is simply not presented by the request for information.

Section 3(a)(2) protects information in personnel files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. It is not clear to us that the requested information is "in personnel files." Furthermore, even if it is, we conclude that the information that a police officer or fire fighter has or has not completed a hazardous materials training course would not constitute an unwarranted invasion of privacy. *See Hubert v. Harte-Hanks Texas Newspapers*, 652 S.W.2d 546, 550 (Tex. App.--Austin, 1983, writ ref'd n.r.e.). Therefore, you must release the requested information.²

Because case law and prior open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-586.

Yours very truly,



Mary R. Crouter
Assistant Attorney General
Opinion Committee

MRC/mc

Ref: ID#s 13710, 13901

cc: Mr. Walter Pettijohn
525 Oak Grove
Coppell, Texas 75019

²The Open Records Act does not require a governmental body to respond to interrogatories or to conduct research. *See Open Records Decision Nos. 555 (1990); 458 (1987)*. You have not stated whether the city actually maintains a list of the names of all city police officers and fire fighters who have completed the training. Based on your silence, we assume that it does.